

HB 2130 STAFF MEASURE SUMMARY

Carrier: Rep. Wallan

House Committee On Judiciary

Action Date: 01/30/23

Action: Do Pass.

Vote: 9-0-1-0

Yeas: 9 - Bynum, Chaichi, Conrad, Kropf, Lewis, Morgan, Reynolds, Tran, Wallan

Exc: 1 - Andersen

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Patricia Pascone, LPRO Analyst

Meeting Dates: 1/23, 1/30

WHAT THE MEASURE DOES:

Eliminates requirement that Attorney General appoint a provider of a nonbinding environmental claims mediation program and set standards by rule for the program's mediator qualifications and fees.

ISSUES DISCUSSED:

- Contract with current provider is expiring
- Parties hired private mediators and did not use the program
- Insurers are still required to engage in mediation when requested by the insured

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

An insurer has certain duties when environmental claims are filed against its insured, including participation in nonbinding environmental claim mediation upon the insured's request. The Attorney General must appoint a provider to run an environmental claims mediation program, make rules that set standards of qualification, training and experience for the mediators, and make rules setting the schedule of fees for the program.

House Bill 2130 would eliminate the requirement that the Attorney General make rules for a nonbinding environmental claims mediation program and appoint a provider to run the program.